

REMARKS

This response and amendment is submitted in response to the final Office Action dated December 5, 2005 (hereafter "office action"), having a shortened statutory period set to expire March 6, 2006. The examiner had rejected pending claims 1 to 4 and 11 to 14, 20, 22, and 24 based on cited art and for the reasons stated in the office action. The examiner found allowable subject matter in claims 5 to 9, 15 to 19, and 21 to 24, and applicants appreciate the examiner's allowance of these claims in the office action.

I. Rejections of Claims 21 and 23 under 35 U.S.C. Sec. 112

The examiner rejected claims 21 and 23 under 35 U.S.C. Sec. 112, second paragraph, indicating that "the non-overlapping periods" lack antecedent basis. The examiner also pointed out correctly that claims 21 and 23 should depend from claims 15 and 5 respectively instead of claims 17 and 7 respectively. Applicants have amended claims 21 and 23 to now respectively depend from claims 15 and 5, which, in effect, corrects the antecedent bases problem. Thus, claims 21 and 23, as amended, overcome the examiner's rejections under 35 U.S.C. Sec. 112, second paragraph.

II. Rejections of Claims 1 to 4, 10 to 14, and 20 under 35 U.S.C. Sec. 103(a)

The examiner rejected claims 1 to 4, 10 to 14, and 20 under 35 U.S.C. Sec. 103(a) as being rendered obvious by U.S. Patent No. 6,380,801 to McCartney (hereafter "the McCartney reference"). First, the examiner's rejections of these claims are improper since they are obviousness rejections based on only a single reference. Secondly, one skilled in the art cannot inherently derive or understand from the McCartney reference (even at the places the examiner specifically points out) as to where "some inherent gain(s)" is taught and how the "inherent gain(s)" can be read to come up with an "overall gain" based on the sum of "partial gain(s)".

However, applicants have decided to amend the claims so that the application is placed in condition for allowance. Claim 1 has been amended to incorporate all of the limitations of allowable claim 24, and thus claim 1 is claim 24 re-written in independent form. Claim 24 has been cancelled without prejudice. Claims 2 to 4 and 10 depend

from claim 1, as amended, and are thus allowable for the same reasons as claim 1, as amended. Allowable claim 5 has been re-written in independent form, and allowable claims 6 and 23 depend from claim 5, as amended. Allowable claim 7 has been re-written in independent form, and allowable claims 8 to 9 depend from claim 7, as amended.

Claim 11 has been amended to incorporate all of the limitations of allowable claim 22, and thus claim 11 is claim 22 re-written in independent form. Claim 22 has been cancelled without prejudice. Claims 12 to 14 and 20 depend from claim 11, as amended and are thus allowable for the same reasons as claim 11, as amended. Allowable claim 15 has been re-written in independent form, and allowable claims 16 and 21 depend from claim 15, as amended. Allowable claim 17 has been re-written in independent form, and allowable claims 18 to 19 depend from claim 17, as amended.


Therefore, the application with pending claims 1 to 21 and 23 is now in condition for allowance, and allowance is earnestly solicited. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

No extension fee is believed to be due by the filing of this Response and Amendment. However, if any fees are due by the filing of the enclosed documents, including any fees incurred by an extension of term, please consider this paragraph such a

Request for term, and charge such fees to Cirrus Logic Deposit Account No. 03-2028/1410-CA.

Respectfully submitted,

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